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Margaret A. Connor

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Margaret A. Connor
(Signature)

Docket 0229.99

PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re application of)
)
LINDA S. THOMASHOW ET AL.)
)
SEQUENCES ENCODING PHZO)
AND METHODS)
)
Serial No. 09/965,175)
)
Filed September 27, 2001)

Group Art Unit: 1645

Information Disclosure Statement
(Submission Prior to Final Rejection
or Notice of Allowance)

The Honorable

Commissioner for Patents

Sir:

Pursuant to 37 CFR 1.97 and 1.98, applicant(s) hereby submit(s) and Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office (except U.S. patent applications) are listed on PTO/SB/08,

attached hereto.

II. COPIES (check at least one item)

- a. X Submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed, except that no copy of a U.S. patent application is included.
- b. _____ Any patents, publications or other information which are listed on PTO/SB/08 or on the copies of PTO 892 but which are not enclosed herewith were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 USC 120:

U.S. Serial Number

U.S. Filing Date

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one item)

- a. X Except as may be indicated below in (b), all patent, publications or other information are in the English language (concise explanation not required).
- b. _____ A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- c. _____ The following additional information is provided for the Examiner's consideration:

IV. CROSS REFERENCE TO RELATED APPLICATIONS

The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this (these) application(s) to the Examiner's attention, applicant does not waive the confidentiality provisions of 35 USC 122:

Serial No.

Filing Date

Art Unit

60/236,634

September 29, 2000

FEES

V. THIS IDS IS BEING FILED UNDER 37 CFR 1.97(b): (check one item)

a. X Within three months of the filing date of a national application [37 CFR 1.97(b)(1)].

No fee or certification is required.

b. Within three months of the date of entry of the national stage as set forth in 1.491 in an international application [37 CFR 1.97(b)(2)].

No fee or certification is required.

c. X Before the mailing date of the first Action on the merits [37 CFR 1.97(b)(3)].

No fee or certification is required.

VI. THIS IDS IS BEING FILED UNDER 37 CFR 1.97(c):

before the mailing date of a Final Office Action under 37 CFR 1.113 [See 37 CFR 1.97(c)(1)] or before the mailing date of a Notice of Allowance under 37 CFR 1.311 [See 37 CFR 1.97(c)(2)]. (check one item)

a. No certification; therefore, a fee in the amount of \$ is required by 37 CFR 1.17(p); or

b. See the certification below. No fee is required.

VII. Certification Under 37 CFR 1.97(e)

The undersigned hereby certifies that: (check only one item)

a. each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

b. no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this statement.

c. Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication for a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no items of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this statement.

VIII. Payment of Fees (check one item)

a. X NO FEE IS REQUIRED.

b. Please charge Deposit Account No. 23-1058 in the amount of \$
for the above-indicated fee. A duplicate copy of this paper is attached.

This disclosure Statement is not to be construed as a representation that (i) a search has been made; (ii) additional information material to the examination of this application does not exist; or (iii) the cited information constitutes prior art in the subject application.

If this IDS is determined to not fully comply with the rules, the Examiner is urged to contact the undersigned.

Please charge any additional fees or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to Deposit Account 23-1058.

Respectfully submitted,

Margaret Connor

Margaret A. Connor
Attorney of Record
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Telephone: (510) 527-1418
or 559-6067

Enclosures

X PTO/SB/08 (2 pages)
 PTO-892
X References (8)
 Foreign Search Report
 Fee
 Other: